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7590

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EXAMINER

ZHOU, TING

ART UNIT	PAPER NUMBER
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2173

9

DATE MAILED: 04/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/935,137

Applicant(s)

WINDL ET AL.

Examiner

Ting Zhou

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 August 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 5.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

1. Applicants' claim for domestic priority from U.S. Provisional Patent Application No. 60/243,819, filed on October 27, 2000 has been acknowledged.

Drawings

2. The drawings are objected to because the following reference characters are not labeled in an appropriate descriptive manner: the referenced boxes in Figures 1a, 1b, 2, 3 and 4 should be labeled with an appropriate description to clearly convey what each of the boxes represent.
3. Applicant is required to submit a proposed drawing correction of the above noted deficiencies in reply to this Office action. However, formal correction of the noted defect may be deferred until after the examiner has considered the proposed drawing correction. Failure to timely submit the proposed drawing correction will result in the abandonment of the application.

Claim Objections

4. Claim 19 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claim 19 is dependent upon claim 16. However, both claims 16 and 19 recite the same limitation and therefore, claim 19 fails to further limit its parent claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5. Claims 1-6, 13 and 17 are rejected under 35 U.S.C. 102(e) as being anticipated by Nguyen et al. U.S. Patent 6,412,021.

Referring to claims 1 and 17, Nguyen et al. teach a system and method comprising a primary display region (main application window) (column 7, lines 40-51), a peripheral display region (selection bar) (column 7, lines 40-51), a message indicator superimposed over a portion of the peripheral region (application button icons) (column 9, lines 51-58) and a user-activated icon for causing retrieval and display of an industrial automation system message (when system messages such as a new email arrives, the application button icons change appearances to

indicate and display the system message; upon user selection of the icon, information associated with the message is retrieved and displayed) (column 9, lines 51-58 and column 11, lines 55-59). This is further shown in Figure 3, where reference character "306" represents the primary display region, reference character "301" represents the peripheral display region and reference characters "302-305" represent message indicators.

Referring to claim 2, Nguyen et al. teach the peripheral region comprising a top edge, a bottom edge and lateral edges circumscribing an icon for invoking tools for running and debugging application programs (column 7, lines 46-51, column 11, lines 55-67 and further shown in Figure 3).

Referring to claim 3, Nguyen et al. teach the message indicator being located in a status bar, as recited in column 7, lines 40-51 and further shown in Figure 3.

Referring to claim 4, Nguyen et al. teach the message indicator being displayed superimposed over the peripheral display region when triggered by an automation system message (displaying user notification when an event occurs; for example, the electronic mail button icon can be used to notify the user when a new mail has arrived) (column 4, lines 17-37 and 53-63 and column 9, lines 51-58).

Referring to claim 5, Nguyen et al. teach the user-activated icon being displayed approximately in the center of the peripheral region (column 7, lines 46-51 and Figure 3). As can be seen from the figure, the icons can be placed anywhere in the peripheral region, including at the center of the peripheral region.

Referring to claim 6, Nguyen et al. teach the user-activated icon being located adjacent the bottom edge of the peripheral region (column 7, lines 46-51 and Figure 3). As can be seen

from the figure, the icons can be placed adjacent any edge of the peripheral region, including the bottom edge.

Referring to claim 13, Nguyen et al. teach a method comprising the steps of providing a message indicator, in the peripheral region only, indicating the presence of a message (when system messages such as a new email arrives, the application button icons change appearances to indicate and display the system message) (column 7, lines 40-51 and column 9, lines 51-58), receiving a signal from the user via the user's activation of the message indicator (user selection of the icon indicating the presence of a message), and in response to receiving the signal from the user, retrieving the contents of a message associated with the message indicator and displaying the retrieved message contents in a pop-up window adjacent to the peripheral display region (upon user selection of the icon, information associated with the message is retrieved and displayed) (column 9, lines 51-58 and column 11, lines 55-59). This is further shown in Figure 3.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 7-11 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nguyen et al. U.S. Patent 6,412,021, as applied to claim 1 above, and further in view of Moon et al. U.S. Patent 6,385,662.

Referring to claim 7, Nguyen et al. teach all of the limitations as applied to claim 1 above. Specifically, they teach the display of messages as a result of user selection of an icon (Nguyen et al.: column 9, lines 51-58 and column 11, lines 55-59). However, Nguyen et al. fail to explicitly teach the icon, when selected for a first period of time, invokes retrieval of a single message, and when selected for a second period of time, invokes retrieval of a plurality of messages. Moon et al. teach a system for displaying icons and retrieving the corresponding notification upon user selection (Moon et al.: column 3, lines 1-13, column 4, lines 56-63 and further shown in Figure 1) similar to that of Nguyen et al. In addition, Moon et al. further teach the message icon, when selected for a first period of time, invokes retrieval of a single message (if the user selects the message icon when it first appears, then the message associated with the icon is displayed) (Moon et al.: column , lines 22-29), and when selected for a second period of time, invokes retrieval of a plurality of messages (if after a certain amount of time elapses and the user does not select the message icon, then when the user later wants to access the status message associated with the event, a history log of all the ignored messages are shown to the user) (Moon et al.: column 5, lines 39-47). It would have been obvious to one of ordinary skill in the art, having the teachings of Nguyen et al. and Moon et al. before him at the time the invention was made, to modify the display system of Nguyen et al. to include the retrieval of various numbers of messages during different time periods, as taught by Moon et al. One would

have been motivated to make such a combination in order to allow users to put off viewing status messages until a time more convenient for them, letting users work at their own pace.

Referring to claim 8, Nguyen et al. teach the plurality of messages being displayed in a pop-up window (column 9, lines 51-58).

Referring to claims 9 and 15, Nguyen et al. and Moon et al. teach all of the limitations as applied to the claims above. Moon et al. further teach the first period of time is less than the second period of time (the first period of time is a fixed period of time whereas the second period of time is an indefinite period of time and therefore, can be longer than the first period of time) (column 4, lines 49-67 and column 5, lines 1-6). It would have been obvious to one of ordinary skill in the art, having the teachings of Nguyen et al. and Moon et al. before him at the time the invention was made, to modify the display system of Nguyen et al. to include the varying time periods for viewing messages taught by Moon et al. One would have been motivated to make such a combination in order to allow users to put off viewing status messages until a time more convenient for them, letting users work at their own pace.

Referring to claim 10, Nguyen et al. teach the pop-up window overlaying a work area in the primary region (displaying retrieved information in the main display region) (column 7, lines 40-48).

Referring to claim 11, Nguyen et al. and Moon et al. teach all of the limitations as applied to claims 1 and 7 above. Specifically, Nguyen et al. teach messages in pop-up windows (column 9, lines 51-58). However, Nguyen et al. does not explicitly teach the messages in the pop-up windows associated with respective time tags and in an order based on the time tags. Moon et al. teach a system for displaying icons and retrieving the corresponding notification upon user

selection (Moon et al.: column 3, lines 1-13, column 4, lines 56-63 and further shown in Figure 1) similar to that of Nguyen et al. In addition, Moon et al. further teach the display of messages associated with respective time tags and in an order based on the time tags (messages are individually added to the history file and therefore, there is a time tag associated with when the message was added to the history file) (column 3, lines 39-47). It would have been obvious to one of ordinary skill in the art, having the teachings of Nguyen et al. and Moon et al. before him at the time the invention was made, to modify the display system of Nguyen et al. to include associating a time tag with displayed messages. One would have been motivated to make such a combination in order to allow users to put off viewing status messages until a time more convenient for them, letting users work at their own pace. Furthermore, the users will be able to see when events occurred, therefore allowing them to see if certain events caused later occurring events, allowing them to respond to the messages or problems in the appropriate order.

7. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nguyen et al. U.S. Patent 6,412,021, as applied to claim 1 above, and further in view of Hall, Jr. et al. U.S. Patent 6,108,003.

Referring to claim 12, Nguyen et al. teach all of the limitations as applied to claim 1 above. Specifically, Nguyen et al. teach one or more forms of user notification, including having the message indicator accompanied by an audio-visual warning comprising an audible sound and a blinking (flashing) display (Nguyen et al.: column 4, lines 53-58 and column 12, lines 24-29). However, Nguyen et al. fail to explicitly teach the blinking display comprising a color contrasting with the visual characteristics of the surrounding peripheral region. Hall Jr. et al.

teach a display space capable of providing application status information (Hall Jr.: column 2, lines 10-12 and 50-54) similar to that of Nguyen et al. In addition, Hall Jr. further teach the indicator comprising a change in color (Hall Jr. et al.: column 4, lines 21-27). It would have been obvious to one of ordinary skill in the art, having the teachings of Nguyen et al. and Hall Jr. et al. before him at the time the invention was made, to modify the indication system of Nguyen et al. to include the use of contrasting colors taught by Hall Jr. et al. One would have been motivated to make such a combination in order to allow users to be able to see more easily and clearly when an event has occurred, so they can respond to the event in a timely fashion.

8. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nguyen et al. U.S. Patent 6,412,021 and Hall, Jr. et al. U.S. Patent 6,108,003, as applied to claims 1 and 12 above, and further in view of Moon et al. U.S. Patent 6,385,662.

Referring to claim 14, Nguyen et al. and Hall, Jr. et al. teach all of the limitations as applied to claims 1 and 12 above. Specifically, they teach the display and indication of events and messages to the user. However, they fail to explicitly teach the indication, when selected for a first period of time, invokes retrieval of a single message, and when selected for a second period of time, invokes retrieval of a plurality of messages. Moon et al. teach a system for displaying icons and retrieving the corresponding notification upon user selection (Moon et al.: column 3, lines 1-13, column 4, lines 56-63 and further shown in Figure 1) similar to that of Nguyen et al. and Hall, Jr. et al. In addition, Moon et al. further teach the message icon, when selected for a first period of time, invokes retrieval of a single message (if the user selects the message icon when it first appears, then the message associated with the icon is displayed)

(Moon et al.: column , lines 22-29), and when selected for a second period of time, invokes retrieval of a plurality of messages (if after a certain amount of time elapses and the user does not select the message icon, then when the user later wants to access the status message associated with the event, a history log of all the ignored messages are shown to the user) (Moon et al.: column 5, lines 39-47). It would have been obvious to one of ordinary skill in the art, having the teachings of Nguyen et al., Hall Jr. et al. and Moon et al. before him at the time the invention was made, to modify the display system of Nguyen et al. and Hall Jr. et al. to include the retrieval of various numbers of messages during different time periods, as taught by Moon et al. One would have been motivated to make such a combination in order to allow users to put off viewing status messages until a time more convenient for them, letting users work at their own pace.

9. Claims 16 and 18-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nguyen et al. U.S. Patent 6,412,021 and Hall, Jr. et al. U.S. Patent 6,108,003, as applied to claims 1 and 12 above, and further in view of Burror et al. U.S. Patent 4,851,985.

Referring to claims 16 and 19, Nguyen et al. and Hall Jr. et al. teach all of the limitations as applied to the claims above. Specifically, they teach the display and indication of events and messages to the user. However, they fail to explicitly teach the messages relating to fault-causing events. Burror et al. teach a system for displaying and indicating events to users (Burror et al.: column 2, lines 30-35 and column 7, lines 31-40) similar to that of Nguyen et al. and Hall Jr. et al. In addition, Burror et al. further teach the display of fault causing events (Burror et al.: column 7, lines 31-40). It would have been obvious to one of ordinary skill in the art, having the

teachings of Nguyen et al., Hall Jr. et al., and Burror et al. before him at the time the invention was made, to modify the display system of Nguyen et al. and Hall Jr. et al. to include the display of fault causing events taught by Burror et al. One would have been motivated to make such a combination in order to allow users to detect events that could cause a problem to the system, giving users an opportunity to take the necessary precautions to prevent the problem.

Referring to claim 18, Nguyen et al. teach the message indicator accompanied by an acoustic signal (audio sound), as recited in column 4, lines 53-57.

Referring to claim 20, Nguyen et al. teach the user responding to the signal comprising viewing and accessing the nature of the message (selection of the icons allows users to view and access the application associated with the icon buttons) (column 7, lines 40-65).

Referring to claim 21, Nguyen et al. teach the step of activating retrieval of the message comprising clicking on the message indicator (selection of the icon buttons) (column 7, lines 40-65).

Referring to claim 22, Nguyen et al. teach the retrieved message content being received via a pop-up window (column 9, lines 51-58).

Referring to claim 23, Nguyen et al. and Hall Jr. et al. teach all of the limitations as applied to the claims above. Specifically, they teach the display and indication of events and messages to the user via pop-up windows (Nguyen et al.: column 9, lines 51-58). However, they fail to explicitly teach showing a list of messages related to the fault-causing event presented in the order of their occurrence. Burror et al. teach a system for displaying and indicating events to users (Burror et al.: column 2, lines 30-35 and column 7, lines 31-40) similar to that of Nguyen et al. and Hall Jr. et al. In addition, Burror et al. further teach the display of fault causing events

in the order of their occurrence (Burrer et al.: column 7, lines 31-40). It would have been obvious to one of ordinary skill in the art, having the teachings of Nguyen et al., Hall Jr. et al., and Burrer et al. before him at the time the invention was made, to modify the display system of Nguyen et al. and Hall Jr. et al. to include the ordered display of fault causing events taught by Burrer et al. One would have been motivated to make such a combination in order to allow users to detect events that could cause a problem to the system, giving users an opportunity to take the necessary precautions to prevent the problem. Furthermore, the users will be able to see when the fault causing events occurred, therefore allowing them to see if certain faults caused later occurring faults, allowing them to fix the problems in the appropriate order.

Referring to claim 24, Nguyen et al. teach entering a response to a message in displayed in the window (users can respond to message icons indicating status of applications by clicking on or selecting the message with an input device) (column 6, lines 1-11, column 7, lines 59-67 and column 11, lines 55-59).

10. The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach similar methods for displaying status indicators.

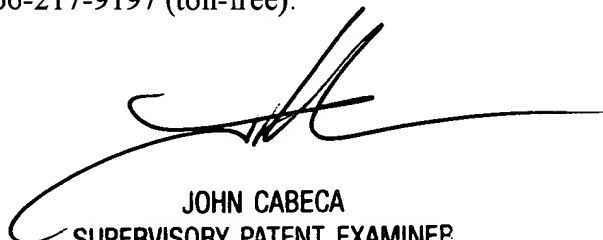
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ting Zhou whose telephone number is (703) 305-0328. The examiner can normally be reached on Monday - Friday 8:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (703) 308-3116. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

April 14, 2004



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